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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

In re Application of THE COALITION TO PROTECT
CLIFTON BAY and LOUIS BACON for an Order
Pursuant to 28 U.S.C. § 1782 to Conduct Discovery for
Use in Foreign Proceedings.

Case No. 14 MC 258

NOTICE OF MOTION

PLEASE TAKE NOTICE THAT, upon the accompanying memorandum of law, the declaration of Aaron H. Marks, dated September 18, 2014, and accompanying exhibits, the declaration of Daane Clifford, dated September 18, 2014, and accompanying exhibits, and the declaration of Thomas A. E. Evans, Q.C., dated September 18, 2014, and accompanying exhibits, and all other papers and proceedings in this matter, Nygård International Partnership, Nygård Inc., and Peter Nygård (the “Nygard Parties”) will move this Court, before the Honorable Denise Cote, at a date and time to be determined by the Court, for an order granting the Nygård Parties’ motion to intervene, denying the application and petition for an order pursuant to 28 U.S.C. § 1782 to conduct discovery for use in foreign proceedings, and quashing the subpoena filed by Louis Bacon and The Coalition To Protect Clifton Bay.

Dated: September 18, 2014
New York, New York

Respectfully submitted,

KASOWITZ, BENSON, TORRES
& FRIEDMAN LLP

By: /s/ Aaron H. Marks

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